

REMARKS

Favorable reconsideration and allowance of this application are requested.

By way of the amendment instructions above, independent claims 1 and 9 have been revised so as to clarify that the diameter of the open second end part is substantially the same as the diameter of the cylindrical mantle part. Support for such amendment can be found in the originally filed specification at page 8, lines 15-17.¹

Claims 1-9 therefore remain pending herein for consideration. As will become evident from the discussion which follows, all such pending claims are in condition for allowance.

The only issues remaining to be resolved in this application are the Examiner's art-based rejections. Specifically, original claims 1-6 and 8-9 attracted a rejection under 35 USC §102(b) as allegedly anticipated by Clampitt (USP 5,681,535), while original claim 7 attracted a rejection based on the combination of Clampitt and Streetman et al (USP 5,156,815) under 35 USC §103(a). Applicant suggests however, that neither Clampitt nor Streetman et al is an appropriate reference to reject the amended pending claims herein.

Clampitt discloses a cracker apparatus, which has a bottle-shaped source material container with a cylindrical part with a first diameter and a neck part with a diameter substantially smaller than the first diameter. Indeed, applicants note that Clampitt discloses an open end that is opposite to the end connectable to the dispenser means.

The gaseous source material flows out of the Clampitt bottle through its neck part. The neck is connected to the rest of the cracker apparatus. When the new source material is added, the neck end of the container bottle is detached from the rest of the

¹ "The diameter D of the outlet opening 29 is substantially the same as the diameter E of the cylindrical source material container 3."

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apparatus and new material is fed in the container bottle through the narrow neck. The small neck part easily collects a layer of solid source material on the neck per se and the bends of the neck. The narrow neck part therefore makes it difficult to empty or clean the container if wanted, and to refill the container with solid source material, which is often in the form of clumps of different sizes.

Thus, Clampitt cannot anticipate the presently claimed invention under 35 USC §102(b) since it does not disclose at all the concept of the functional advantages that ensue from the structures of the presently claimed invention a cracker apparatus which structurally has an open second end part and a cylindrical mantle part of substantially the **same** diameters. Moreover, Clampitt cannot render obvious the present invention since the functional advantages which ensue from the structures claimed herein could not be realized.

Withdrawal of all rejections advanced in the Official Action of January 25, 2005 and early passage of this application to issue are therefore solicited.

Respectfully submitted,

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